

REMARKS

The application was filed with Claims 1-6. Claims 1-20 now remain in the application. Claims 1-3 and 5 stand rejected under 35 USC §102. Claim 6 stands rejected under 35 USC §103. These rejections are respectfully traversed. In light of the foregoing amendments, and the following remarks, withdrawal of the rejections and reconsideration of the claims is respectfully requested.

Applicants acknowledge the Examiner's indication of allowable subject matter in Claim 4, with thanks.

Rejections under 35 USC §102

Claims 1-3 and 5 stand rejected under 35 USC §102(b) as being anticipated by Juëmann et al. (USP 4 917 340). This rejection is respectfully traversed.

It is well established that in order for a claim to be anticipated by a reference, each and every element of the claim must be found in that reference. Juëmann et al. '340 discloses a retaining bracket for cables having a U-shaped retention space and a pair of convergent cover arms that spring open upon insertion of a cable into the bracket and that snap back into a locked position to hold the cables in place (Abstract).

Claim 1 is directed to a wire retainer comprising a supporting member, a retainer member fixed to the supporting member and having a base part fixed to a central portion of the supporting member, and a restriction part fixed to an upper end of the base part and extending downward along the supporting member. Juëmann et al. '340 does not disclose these claimed elements. Specifically, the "restriction part" 6 identified in the Office Action is referred to as a "cover arm" in the specification of Juëmann et al. '340 and spans across a portion of the opening 7 of the U-shaped retention space of the retaining bracket. The cover arm 6 does not extend "downward ... along an upper portion of the supporting member," as required by amended Claim 1. Rather, the

"supporting member" cited in the Office Action is referred to as a "fastening means 12" in the specification of Juemann et al. '340. The fastening means 12 is positioned beneath the U-shaped retention space, so as to make it impossible for the cover arm 6 to extend downward along the fastening means 12, as required by Claim 1.

The foregoing remarks demonstrate that the elements of Claim 1 are not disclosed by Juemann et al. '340. In light of the requirement that each and every element must be found in a reference for a claim to be anticipated by the reference, Claim 1 is therefore not anticipated by Juemann et al. '340. Applicants respectfully request withdrawal of the rejection of Claim 1 as being anticipated by Juemann et al. '340, and reconsideration of the claim. Claims 2-3 and 5, which depend from Claim 1, cannot be anticipated by Juemann et al. '340 for the same reason that Claim 1 is not anticipated, therefore withdrawal of the rejection of Claims 2-3 and 5, and reconsideration of the claims, is respectfully requested.

Applicants have presented new Claims 7-20 for examination. Juemann et al. '340 further does not disclose the wire retainer of Claim 7, wherein the wire is retained in a space defined by the base part and restriction part of the retainer member, respectively, and an upper portion of the elongate supporting member.

With respect to Claim 15, according to the present invention, a wire retainer comprises a cylindrical supporting member made of metal, while according to Juemann et al. '340, the supporting member has no such structure. Since the present invention includes a cylindrical supporting member made of metal, which is not disclosed, claim 15 is not anticipated by Juemann et al. '340.

Still further, since the supporting member is made of metal, it can be easily fixed to the hole of the circuit board through which an electronic component is inserted and mounted by soldering like the other electronic components. The mounting of the wire retainer can be automated like the other

electronic components, and hence it can be more simply fixed to the circuit board. Since the holes through which the electronic components are mounted are defined in the circuit board so as to generally cope with various circuit patterns according to a design of the circuit, there exists a hole which is not used for certain circuit pattern. The wire retainer of the invention can replace such a non-use hole with the hole for the wire retainer and also the wire retainer of the invention can be fixed to the circuit board even after the electronic components were mounted on the circuit board.

On the other hand, in Juemann et al. '304, since the supporting shield 14 and the spring legs 13 can be mounted merely on the predetermined hole, the hole should be bored previously in the circuit board, which imposes a restriction on the design of the circuit board.

According to the present invention, the wire is retained in a space surrounded by the base part and restriction part of the retainer member, respectively, and the upper portion over the cylindrical body to which the base part of the retainer member is fixed, while according to Juemann et al. '304, the cable 17 is retained in a space surrounded by the base plate 1, the spring arms 4, 5 and the core arms 6, 8, and the supporting shield 14 corresponding to the supporting member of the present invention is not involved in retaining of the cable 17.

According to the present invention, since the supporting member formed of the long cylindrical body made of metal is involved in the retaining of the wire, the wire is prevented from coming off with certainty, as mentioned in page 5, line 35. Further, since the supporting member is made of metal, the insertion hole of the wire is hardly deformed, so that the wire is prevented from coming off and deforming the hole, as mentioned in page 3, lines 6-9.

The language found in Claim 15, "cylindrical supporting member made of metal," is supported by the expression as set forth in page 4, lines 25-26, namely, "A wire retainer 2 fixed

onto a circuit board 1 is made up of a long cylindrical body 4 made of metal and serving as a supporting member and a retainer member 5 molded by a flexible material and the wire retainer 2 retains a wire 3 such as a lead wire."

The language found in Claim 15, "and wherein the wire is retained in a space surrounded by base part and restriction part of the retainer member, respectively and the upper portion over the cylindrical body to which the base part of the retainer member is fixed," is supported by the expression as set forth in page 5, lines 32-35, namely, "Accordingly, the lead wire 3 is retained in a space surrounded by the base part 12, the extension part 13, the restriction part 14 and the upper portion 11, and the restriction part 14 is brought into contact with the upper portion 11, so that the lead wire 3 is prevented from being come off with certainty."

Rejection under 35 USC §103

Claim 6 stands rejected under 35 USC §103(a) as being unpatentable over Juemann et al. '340 in view of Bendorf et al. (USP 6 123 580). This rejection is respectfully traversed.

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. In re Vaack, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

In the office action, Bendorf et al. '580 is relied upon to introduce the teaching of soldering for securing a clip on

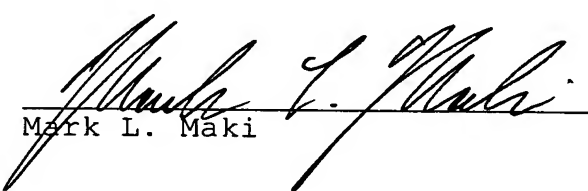
a surface. Bendorf et al. '580 is not relied upon to teach, nor does it introduce, those elements of Claim 1 which are not otherwise disclosed by Juemann et al. '340, as discussed in the foregoing remarks with respect to the rejection of Claim 1 under 35 USC §102. The combination of Juemann et al. '340 and Bendorf et al. '580 therefore does not meet the third criterion for a prima facie case of obviousness, in that the combination does not teach or suggest all of the claim limitations. Therefore, the combination does not reach Claim 6 for the same reason that Juemann et al. '340 does not reach Claim 1, from which Claim 6 depends.

In light of the foregoing remarks, withdrawal of the rejection of Claim 6, and reconsideration of the claim, is respectfully requested.

Conclusion

Applicants assert that, in light of the foregoing amendments and remarks, the claims remaining in the application are allowable. Early Notice of Allowability is therefore respectfully solicited. The Examiner is invited to contact the undersigned by telephone if needed to expedite prosecution of this application.

Respectfully submitted,


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